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In re Application of	:	OFFICE OF PETITIONS
Danishefsky et al.	:	
Application No. 10/004,571	:	DECISION DISMISSING
Filed: 4 December, 2001	:	PETITION
Attorney Docket No. 2003080-0071	:	

This is a decision on the petition under 37 CFR 1.53(e) filed on 5 June, 2002.

The petition is **DISMISSED AS MOOT.**

On 4 December, 2001, the above-identified application was filed. Accordingly, on 19 March, 2002, Initial Patent Examination Division mailed a Notice to File Corrected Papers stating that the application had been accorded a filing date of 4 December, 2001, but that, *inter alia*, Figures 4A and 4B described in the specification appeared to have been omitted from the application.

In response the present petition was filed, accompanied by a copy of petitioners' return postcard itemizing the filing of, *inter alia*, 59 sheets of drawings and 76 sheets of formal drawings. Petitioners also provided a copy of the 76 sheets of "formal" drawings.

As Figures 4A and 4B described in the specification appear to be omitted from the 59 sheets of "informal" drawings, petitioners must supply a copy of the sheet(s) of drawings containing Figures 4A and 4B as originally filed on 4 December, 2001 (described on petitioners' postcard as "59 sheets of drawings"). A Request for Information was mailed on 25 October, 2002, requesting that petitioners provide a copy of the sheet(s) of drawings containing Figures 4A and 4B as originally filed on 4 December, 2001. However, no response has been received.

Upon a review of the record, the Notice mailed 19 March, 2002, was withdrawn on 18 September, 2002, and a Notice to File Corrected Application Papers was mailed. Since the new notice did not specify that any figures were omitted, the petition is considered unnecessary and will be dismissed as moot.

The petition fee of \$130.00 will be credited to counsel's deposit account, No. 03-1721.

The application is being forwarded to the Office of Initial Patent Examination for further processing.

Telephone inquiries concerning this matter may be directed to the undersigned at (703) 308-6918.



Douglas I. Wood
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